

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-v-

11-CR-392-S

ROGER S. LUCZKOWIAK,

Defendant.

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**GOVERNMENT'S MOTION FOR DISCOVERY**

**THE UNITED STATES OF AMERICA**, by and through its attorney, William J. Hochul, Jr., United States Attorney for the Western District of New York, and the undersigned Assistant United States Attorney, hereby moves this Court for an order directing the defendant to provide discovery. Specifically, pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure, and having complied with its obligation to provide discovery to the defendant, the government hereby moves for discovery and inspection of:

(A) all books, papers, documents, data, photographs, tangible objects, or copies thereof which are in the possession of the defendant, or under their control, and which the defendant intends to introduce as evidence at trial during his case-in-chief;

(B) all results and reports of physical or mental examinations and of scientific tests or experiments made in connection with this case which are in the possession of the defendant, or under his control, and which the defendant intends to introduce as evidence at trial during his case-in-chief; and

(C) a written summary of all testimony the defendant intends to use under Rules 702, 703, or 705 of the Federal Rules of Evidence as evidence at trial. This summary shall include a description of the witness's qualifications, the witness's opinions, and the bases and reasons for those opinions.

Dated: Buffalo, New York, December 29, 2011.

WILLIAM J. HOCHUL, JR.  
United States Attorney

BY: *s/Aaron J. Mango*  
AARON J. MANGO  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 29, 2011, I electronically filed the foregoing **GOVERNMENT'S MOTION FOR DISCOVERY** with the Clerk of the District Court using its CM-ECF system, which would then electronically notify the following CM/ECF participant on this case:

John Humann, Esq.

*s/Laura Rogers*

LAURA ROGERS  
Legal Assistant